

HONORING MARTIN LUTHER KING JR. DAY

(Mr. DELGADO asked and was given permission to address the House for 1 minute.)

Mr. DELGADO. Madam Speaker, I rise today to honor one of my heroes, Dr. Martin Luther King, Jr., who was born on this day, 91 years ago.

Next Monday, the Nation will pay tribute to this incredible man and his life, as well as his enduring legacy, a legacy rooted in unconditional love.

In these difficult and divided times plagued by the rise of hate, I can't think of a better legacy to reflect upon as we embark upon this year.

The road ahead will be difficult for our Nation, but I am encouraged by and find great hope in the following words once spoke by Dr. King: "We can no longer afford to worship the god of hate or bow before the altar of retaliation. The oceans of history are made turbulent by the ever-rising tides of hate. History is cluttered with the wreckage of nations and individuals that pursued the self-defeating path of hate. . . . 'Love is the ultimate force that makes for the saving choice of life and good against the damming choice of death and evil. Therefore, the first hope in our inventory must be the hope that love is going to have the last word.'"

STOP IMPEACHMENT AND SUPPORT PRESIDENT TRUMP

(Mr. BANKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BANKS. Madam Speaker, during the President's upcoming State of the Union Address, he has the opportunity to deliver a strong message of unity, peace, and hope to all of those who tune in, both Americans and all who are watching abroad.

Just in the last few months, we have seen that America is the beacon of hope for the people of Hong Kong and Taipei, who are suffering under pressure from Beijing. We have seen that America is the lifeline for people in Beirut and Tehran who find themselves under the thumb of the Iranian regime.

This is a critical moment in world history. People are looking to the United States and our President for leadership more than ever.

Madam Speaker, I urge my colleagues in the majority party to refrain the impeachment antics and charades. Don't be petty. Rise above your worst impulses and support our President. The world is watching.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

PROVIDE CONSUMER PROTECTIONS FOR STUDENTS

(Mrs. HAYES asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Mrs. HAYES. Madam Speaker, I rise in support of H.J. Res. 76, a resolution of disapproval of the Secretary of Education's new borrower defense rule.

This rule guts consumer protections for students and taxpayers and makes it more difficult for students to access relief for loans obtained for degrees that have no value.

Over 1,200 students in Connecticut have been defrauded by predatory for-profit colleges like Corinthian and ITT Tech and still await relief. The Department has made the approval process more difficult, leaving hundreds of thousands of students desperately waiting for answers.

Too many first-generation, low-income students, student veterans, and students of color are lured into these fraudulent schools that prioritize profits over helping students advance their education.

The DeVos rule eliminates automatic closed school discharges and weakens the early warning system that forces institutions to invest in the potential debt relief. It puts a greater burden of proof on students, barring them from relief if they cannot file their claims fast enough.

As a career educator who truly understands the equalizing power of education, I say it is unconscionable that the Department of Education and the Secretary do not feel a moral imperative to protect students.

Madam Speaker, I urge my colleagues to support this resolution.

IN REMEMBRANCE OF PRESTON COPE AND BAILEY HOLT

(Mr. COMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COMER. Madam Speaker, I rise today in remembrance of the precious lives of Preston Cope and Bailey Holt, two victims of a tragic school shooting at Marshall County High School in Benton, Kentucky, 2 years ago. This tragic event devastated the Benton community and took two lives away from us far too soon.

Preston and Bailey continue to be dearly missed by their families and the Marshall County community, which has shown incredible resilience in the face of trying circumstances. Preston Cope and Bailey Holt remain in our hearts and minds to this day.

APPOINTING AND AUTHORIZING MANAGERS FOR IMPEACHMENT TRIAL OF DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES

Mr. NADLER. Madam Speaker, pursuant to House Resolution 767, I send to the desk the resolution (H. Res. 798) appointing and authorizing managers for the impeachment trial of Donald John Trump, President of the United

States, and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 798

Resolved, That Mr. Schiff, Mr. Nadler, Ms. Lofgren, Mr. Jeffries, Mrs. Demings, Mr. Crow, and Ms. Garcia of Texas are appointed managers to conduct the impeachment trial against Donald John Trump, President of the United States, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers so appointed may, in connection with the preparation and the conduct of the trial, exhibit the articles of impeachment to the Senate and take all other actions necessary, which may include the following:

(1) Employing legal, clerical, and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under applicable expense resolutions or from the applicable accounts of the House of Representatives.

(2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any pleadings, in conjunction with or subsequent to, the exhibition of the articles of impeachment that the managers consider necessary.

The SPEAKER pro tempore. Pursuant to House Resolution 767, the resolution is debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from New York (Mr. NADLER) and the gentleman from Georgia (Mr. COLLINS) each will control 5 minutes.

The Chair recognizes the gentleman from New York.

□ 1230

Mr. NADLER. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, the resolution before us today appoints managers to prosecute the Senate impeachment trial of President Trump.

This trial is necessary because President Trump gravely abused the power of his office when he strong-armed a foreign government to announce investigations into his domestic political rival. He betrayed our country when he used powers of his office, including withholding vital U.S. military assistance, to pressure that government to help him win reelection.

He invited foreign interference into our elections again. He jeopardized our national security. He did all of this for his personal political gain.

And then he violated the Constitution by stonewalling Congress' efforts to investigate, ordering an absolute blockade of evidence. Despite that, the House was able to uncover powerful evidence that demonstrates, beyond a doubt, the President's betrayal and violations of the Constitution.

But we still have not heard the whole truth because the President has refused to allow a single document to be turned over to the House in response to our impeachment subpoenas, and he

has prevented us from hearing key witnesses as well. This is unprecedented.

Our Speaker has led our fight to a fair trial in the Senate. Above all, a fair trial must include additional documents and all relevant witnesses.

The American people have common sense. They know that any trial that does not allow witnesses is not a trial; it is a coverup.

The Speaker's insistence on this point has gotten results. Just yesterday, we received critical new evidence from the President's former associate, Lev Parnas, that further proves Mr. Trump's scheme to pressure Ukraine to go after his personal political opponents.

New witness testimony has become available as well, including John Bolton's announcement that he would honor a Senate subpoena.

Under today's resolution, the managers also have broad authority to submit to the Senate any additional evidence the House may acquire on its own, and we will do so.

The Senate is on trial. We will see whether they conduct a fair trial and allow the witnesses or conduct a cover-up. Today's resolution is the next step in this serious and solemn constitutional process. I urge my colleagues to vote "yes" on the resolution, and I reserve the balance of my time.

Mr. COLLINS of Georgia. Madam Speaker, I yield myself such time as I may consume.

This impeachment process has been flawed from the outset. It resembles not a congressional action; it resembles, more, a Dr. Seuss book, knowing not which way it goes.

On September 24, the Speaker declared at a press conference the House was conducting an impeachment inquiry. However, contrary to the Speaker's decree that we were all of a sudden in an impeachment inquiry, the House did not authorize the impeachment inquiry until October 30 by adopting H. Res. 660.

It was said just a moment ago that the Speaker has been leading the fight for a fair trial in the Senate. I wish the Speaker had been leading for a fair hearing in the House instead of trashing our rules.

For those 71 out of 78 days, from the time it was announced at a press conference to the time we finished, the President was not permitted to participate in these meetings. Think of that: 71 days out of 78 in which we actually did something on impeachment, he was not presented the ability to cross-examine fact witnesses, present counterarguments, no due process at all in those 71 days.

When presented with the opportunity, when it came to the Judiciary Committee, instead of the Judiciary Committee stepping up and actually acting like the Judiciary Committee, the committee of impeachment, we punted.

We had some law professors who already had their basic talking points.

He could have cross-examined them. That would have done a lot of good.

Then we could have had witnesses of staffers who testified—again, a lot of good.

Where were the fact witnesses? Instead of the rubber stamp that we were warned about 20 years ago by the current chairman, we became the rubber stamp.

Democrats repeatedly violated House rules and blatantly abused the rules they wrote in H. Res. 660. Even to this day, we will pass this out in violation of H. Res. 660.

They used inflammatory rhetoric haunting them because this is what they had to do.

One Democrat said: I call for impeachment today because it is one heck of an emergency.

Another said: We have a crime in progress. We have an emergency in our national election that is going on right now.

But my favorite, in December: It is a crime spree in progress.

Oh, the hyperbole just reeks in this room.

When we understand this, if it was such an emergency, if it was in lieu of finding a 911 call, then why did we hold this for almost a month? Well, we have been told that it is to help have a Senate fair trial—be damned the House inappropriate process we had.

But even now that the process was bad, I am going to go back, and let's make sure the facts are here because they still haven't changed:

A phone call that was put out in a transcript in which no pressure was applied, there was no conditionality on anything given in that call or since to do that.

There was also nothing given by the Ukrainians to actually get this money that was released, by the way, before—it was actually a statutory deadline of September 31. They did nothing. They got the money anyway.

But the problem is they want the Senate to do their job for them. But that is not how it works. You see, the Speaker—and what I have heard today even from folks giving 1-minutes, Madam Speaker, is this was all they wanted. It was a political impeachment. They have said he is impeached for life.

This shows the true motivation, I believe, of the other side. It is their dislike for this President and the good work he is doing.

So, Madam Speaker, before I reserve here for a moment, this has always been a political impeachment. Even today, on the floor, the talk of the President being forever impeached and this always being a stain forgets the Senate trial.

I hope this ends this political impeachment and this body never sees it again.

Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentleman from

California (Mr. SCHIFF), the distinguished chairman of the Intelligence Committee.

Mr. SCHIFF. Madam Speaker, I rise in strong support of the resolution.

The task before us is a grave one, but one demanded by our oath.

The impeachment inquiry undertaken by the House of Representatives found that President Donald J. Trump abused his power and sought to cover it up with an unprecedented campaign of obstruction.

He withheld hundreds of millions of U.S. dollars in vital military aid to Ukraine, a close ally at war with Russia, and withheld a coveted White House meeting critical to the Ukrainian leader's international legitimacy until Ukraine would commit to help President Trump cheat—cheat—in the next election.

President Trump put his own personal interests above the national interests, above our national security, and, if not stopped, he will do it again.

For that reason, he was impeached. And for that reason, the House managers will take the case to the Senate and to the American people, because the appropriate remedy—indeed, the only remedy—is the conviction and removal from office of President Donald Trump.

Mr. COLLINS of Georgia. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY. Madam Speaker, back when this national nightmare began, Speaker PELOSI laid bare her intentions and purely partisan agenda. She told her Caucus that they needed to "strike while the iron is hot."

This was always an exercise in raw partisan politics, contrary to the warnings of our Founders. And over the last month, we saw the justification for running the fastest, thinnest, and weakest impeachment in American history crumble.

Instead of sending the Articles of Impeachment to the Senate for trial, Speaker PELOSI held them hostage in a failed play to gain leverage that she did not—and would never—have.

In terms of concessions, she got nothing: no control, no moral victories—in other words, another failed strategy.

After a month of counterproductive and harmful delays, I have three questions for my friends on the other side of the aisle, the Democrats:

What happened to impeachment being urgent?

What happened to Congress being "on the clock"?

What happened to saying the House would be "derelict in our duty" if we did not act immediately?

These were all the assertions Democrats made over the past several months. I guess it turns out none of them are true.

These delay tactics were self-serving, hypocritical, and discrediting. But they made an important admission, some might even call it a concession.

They proved a very big point: Democrats do not even believe their case was robust enough to win in a trial.

Even the Speaker's allies admit the delays undermined their case. Some have gone as far as describing it as a "failed" strategy. These are those who are closest to her.

Senator FEINSTEIN, the senior Democrat from our State of California and the hometown of the Speaker, said: "The longer it goes on, the less urgent it becomes."

And Chairman ADAM SMITH, a confidant of the Speaker, said "it was time" to transmit the articles to the Senate.

Both these statements were made last week, before the Speaker relented. They are significant because they were public and they were honest.

I am disappointed these individuals did not have the courage to stand by their initial comments. If impeachment was truly as urgent as Democrats claimed, the majority should not have waited for the Speaker to choose a politically convenient time.

Anyone could have recognized this ploy would not work. The House and the Senate are different institutions and, at this point in time, controlled by different parties.

As James Madison wrote in the *Federalist Papers*, the purpose of bicameralism is to guard against the dangers of encroachment and to stop toxic resolutions from taking effect.

We saw separation of powers prevail against an abuse of power, just as the Constitution intends.

The idea of withholding a sloppy impeachment case to force the Senate to change its rules is constitutionally and politically unheard of. Frankly, it is just ridiculous.

In Article I, section 5, the Constitution clearly states: "Each House may determine the Rules of its Proceedings." It doesn't say the House may determine the rules of proceedings in the Senate.

If anything, the Speaker's actions have only further persuaded Members of the Senate that the evidence of impeachment was neither thorough nor satisfactory.

But do you know what? Let's be honest. This was never about persuasion. It was never about the rule of law. It was what Alexander Hamilton warned us, that one party would get control and, just because of their animosity, demean the process of impeachment.

And by selecting this particular batch of managers, the Speaker has further proven she is not interested in winning minds and hearts or even following the Constitution.

Let's take a look at the first three names Speaker PELOSI announced in her anticipated announcement earlier today:

Chairman SCHIFF, a man who has already taken on the role of judge, jury, and fact witness throughout the entire House impeachment process.

Chairman NADLER, someone who campaigned for the chairmanship of

the Judiciary Committee that is responsible for impeachment, beginning as far back as December 2017, before they were even in the majority, on the notion that he would be the best person to lead the charge on potential impeachment against the President.

You see, you get a chairmanship by your conference voting for you. You campaign for it. You put your best ideas out there as to why you should be the chairman. In 2017, that was the campaign.

Congressman HAKEEM JEFFRIES, a Member who, almost 2 years ago to this date, voted in support of impeachment. That was more than a year before the Ukraine call even took place.

Those are just some of the managers. If you think about the Members, there are people who, on the day they were sworn in to this body, told those who supported them that they were going to impeach him.

As I have said in the past, there is an issue with fairness; but instead of looking to the Senate, Speaker PELOSI should be looking within her own Caucus. From the beginning, this investigation was marred by selective leaks to the media, a completely predetermined process.

Yes, we have been through impeachment before, but it was much different. We believed in the rule of law back then: that you could face your accuser, that you could cross-examine, that the minority could actually ask for witnesses.

The day that impeachment was asked to come forward, I sent a letter to the Speaker asking 10 items, none that were made up. Do you know what they were? The fair process we have always used in the past. The answer was no. Because they have been working on this for 2½ years, they could not let fairness determine the outcome.

Any other prosecutor would be disbarred for such blatant bias, especially if that prosecutor was a fact witness in the case.

The reason for this impeachment is the same reason it has taken Democrats 30 days to send the articles to the Senate: just spite. They wanted to stain the President's record without giving him a fair chance to clear his name.

Last year, we saw House Democrats invert the burden of proof during their fair investigation.

For every American watching, take, for instance, if this was your government, if they switched the burden of proof on you.

□ 1245

We have Congressman MAX ROSE, a new freshman of the majority, who characterized it this way: "The President says he is innocent, so all we are saying is 'prove it'."

God forbid the government accuses you of something as an average American and says you have to prove it. We just switched a fundamental belief of America, but only in this House do we do that.

This "guilty until proven innocent" mentality was an admission that impeachment was not about upholding justice or protecting the rule of law. Now Democrats have invented an even more destructive standard: you are guilty because they say so.

Our Founders feared this day. Alexander Hamilton warned us of this day. I hoped this day would not come. I would hope those that uphold the Constitution would believe in the rule of law, instead of the spite or the dislike of an individual. Like the kangaroo courts on college campuses where an accusation is enough for a conviction.

Even as early as last Sunday in an interview, Speaker PELOSI made that point very clear to all of us. Asked what a Senate acquittal would mean, she said it didn't matter, the President is impeached forever.

Is that what this is all about? Just a personality, just an abuse of power that you have within the House that we all feared this country would never do. You could almost see the Speaker smile as she spoke about this new standard. How incredibly solemn she was.

Madam Speaker, when Americans look back on this sad saga, they will see a rigged process that forever damaged the remedy of impeachment. Speaker PELOSI got nothing from the Senate, but the American people got worse than nothing. They got stuck with the bill for a costly never-ending investigation.

The old saying that you get what you pay for does not apply here. Congress wasted time and millions of dollars on partisan impeachment. In return, taxpayers get nothing. Democrats' misaligned priorities have cost the people solutions that could have improved the quality of their life.

There is no greater contrast than what we are doing right here today than what is happening down Pennsylvania Avenue, the President sitting down with a leader of another country and signing a trade agreement—something people said we could never get done—to make this country stronger, to make the next century in America ours.

But what are we doing here? We are doing what this majority has worked their entire time for. Before they were even sworn in they campaigned for the position of chairman for this moment, for this time, for the millions of dollars that are spent so they could say the President is impeached. That is a lofty history. Those are lofty goals that you now have authored more subpoenas than you have created laws.

Thank God we have got a President in the White House that does not sit back.

Yes, the President got the United States-Mexico-Canada Trade Agreement done with, our top two traders. He is signing a trade agreement with China today, but think about how much stronger his hand would have been had that agreement taken place

earlier, when he got it. No, it was held. Why? Because we were impeaching. That is an amazing agenda, but you promised people you would do it.

This is not a moment this body should be proud of. If Speaker PELOSI likes to say impeachment is a national civics lesson, let's use this blunder as a teachable moment.

I will make this promise to the American public, because the day will come that the majority will switch. We will uphold the Constitution. We will listen to the words of Alexander Hamilton. And just because somebody else is in an office that we may not like, we will not change the rule of law. We will not accuse them of breaking it and say they have to prove it.

We believe America is more than a country. America is an idea, an idea that, yes, would make students in Iran rise up for the freedom of what they know America to be. That the rule of law was so powerful. This is a moment and a civics lesson we should learn. This is a moment that will teach our grandchildren that, yes, more than 200 years ago the Founders crafted an amazing country, but they warned us what abuse of power would look like. The sad part is we are witnessing it. What a contrast in a day and time.

Moving forward, we must not redo these same mistakes in Congress, and my promise to you is: if power were to change, the rule of law would come back. We would have an agenda focused on people, not politics. We would have a voice that you are innocent until proven guilty. We would not abuse our power just for the sheer sake of politics, to say you are impeached forever because I dislike you.

We are better than this. It is a sad day, but the great thing about America, it will all change because the people have the voice.

The SPEAKER pro tempore. Members are once again reminded to address their remarks to the Chair.

Mr. NADLER. Madam Speaker, I yield myself 1 minute.

Madam Speaker, two points.

First, my colleagues in the minority would rather talk about anything than try to defend what President Trump actually did, because they can't.

There is overwhelming evidence that the President pressured the Ukrainian Government to interfere in our election on his behalf then he covered it up. These are high crimes and misdemeanors, and we will prove that in the Senate.

Second, our minority colleagues don't like our ongoing fight for a fair trial because it got results. New documents and additional witnesses have emerged that unmistakably point to the President's guilt, and we have exposed the efforts of some in the Senate majority to put on a sham trial.

The American people understand that a trial without evidence, without witnesses is no trial at all but a cover-up, and that will not stand. We must protect the Constitution and the integ-

rity of our elections. That is what this is about. We must remove this President to protect our country.

Madam Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Georgia has 30 seconds remaining. The gentleman from New York has 1 minute remaining, and the gentleman from New York has the right to close.

The gentleman from Georgia is recognized.

Mr. COLLINS of Georgia. Madam Speaker, I appreciate that. Madam Speaker, is the gentleman from New York ready to close?

Mr. NADLER. Madam Speaker, I am ready to close.

Mr. COLLINS of Georgia. Madam Speaker, there are no other speakers?

The SPEAKER pro tempore. The gentleman from Georgia is recognized.

Mr. COLLINS of Georgia. Madam Speaker, there are no speakers? A closing is no other speakers.

Mr. NADLER. Madam Speaker, I have one more speaker, and she will close.

Mr. COLLINS of Georgia. Madam Speaker, then the gentleman is not ready to close, and I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman is incorrect. The gentleman from New York has one remaining speaker who will close.

The gentleman from Georgia is recognized for 30 seconds.

Mr. COLLINS of Georgia. Madam Speaker, I will take it back. Madam Speaker, give me the time one more time.

The SPEAKER pro tempore. The gentleman from Georgia has 30 seconds remaining. The gentleman from New York has 1 minute remaining.

Mr. COLLINS of Georgia. Madam Speaker, two facts just came out right here, and again, we are going to hear in just a moment, but they are facts. Undoubtedly the mics are not working on the other side, on the majority side. We have talked about the facts. There is not overwhelming evidence. We have discussed this over and over until we are blue in the face, but it doesn't matter because this is a political impeachment.

This has nothing to do with the facts. We have shown that there was nothing done wrong, but that does not matter. When the train is on the tracks, the whistle is blowing, impeachment matters, and the only thing that matters on the timeline, the only real emergency here is that there is a 2020 election in which the Democrats can't stand to see the fact this President is going to win again. They can't stand the fact of who they have got running, so what do we do? We impeach him, as they said, for life. That is wrong. Vote "no."

Madam Speaker, I yield back the balance of my time.

Mr. NADLER. Madam Speaker, again, no defense.

Madam Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI), the Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding and for his exceptional custodianship of the Constitution of the United States, for 13 years the top Democrat on the Constitution, Civil Rights, and Civil Justice Subcommittee of the Judiciary Committee. I thank you for your leadership in protecting and defending the Constitution, the oath that we take as Members of Congress.

As I enter into the conversation, I thank the distinguished gentleman from Georgia for his apology for his ridiculous remarks about me and House Democrats. Madam Speaker, I thank Mr. COLLINS and accept his apology.

Now, I want to go to the purpose of why we are on the floor today. My colleagues on both sides of the aisle, we are here today to cross a very important threshold in American history. On December 18, the House of Representatives passed Articles of Impeachment of Donald Trump, Articles of Impeachment for Abuse of Power and Obstruction of Congress.

By his own admission, the President stated that, yes, he had had that conversation with the President of Ukraine, but he didn't see anything wrong with it. Well, we don't agree with that assessment.

And, yes, it is a fact when someone is impeached, they are always impeached. It cannot be erased, so I stand by that comment, although I know you don't like hearing it. I stand by this picture of the American flag, as I did the day that we introduced the Articles of Impeachment onto the floor because every day all over America in classrooms as well as courtrooms and in this Congress of the United States when we meet, we pledge allegiance to the flag of the United States of America and to the republic for which it stands—and to the republic for which it stands, that is what our Nation is. That is the genius, the beautiful, exquisite genius of the Constitution, that we are a republic. That was a decision of our Founders, their vision. They didn't want a monarchy, they wanted a republic.

When Benjamin Franklin came out of Independence Hall and was asked what do we have, Mr. Franklin, a monarchy or a republic, he said: "A republic, if we can keep it." I have often wondered why he said that, why that would be in doubt. But we see why it is in doubt right now when the President of the United States has said Article II says I can do whatever I want. That is a monarchy, that is not a republic that we pledge our allegiance to every single day.

Here we are today with the Articles of Impeachment about to be transmitted to the United States Senate.

I was thinking this morning and I mentioned it in a previous public

event, the midnight ride of Paul Revere: "Listen, my children, and you shall hear of the midnight ride of Paul Revere." Listen, my children, and you will hear about an assault on the Constitution of the United States, undermining the Republic for which our flag stands by the President of the United States in using appropriated funds enacted in a bipartisan way by this Congress, funds that were meant to help Ukraine fight the Russians. The President considered that his private ATM machine, I guess, and thought he could say to the President, "Do me a favor." Do me a favor? Do you paint houses, too? What is this? Do me a favor.

So we have a situation that is very sad. Don't talk to me about my timing. For a long time I resisted the calls from across the country for impeachment of the President for obvious violations of the Constitution that he committed. But recognizing the divisiveness of impeachment, I held back. Frankly, I said this President isn't worth it. But when he acted the way he did in relationship to withholding funds from Ukraine in return for a benefit to him that was personal and political, he crossed a threshold. He gave us no choice.

So, children, our Constitution is the vision of our Founders. They were so brave they declared independence. They did it in a timeframe when in the course of human events it becomes necessary. They declared independence. They fought a war of independence and bravely succeeded. They wrote documents, our founding documents, the Constitution. Thank God they made it amendable so we could ever be expanding freedom in our country.

And that, my children, is what you pledge allegiance to, the flag of the United States of America and to the Republic contained in that Constitution of the United States.

□ 1300

We take that oath. When we become Members of Congress or other public office, we take an oath to protect and defend the Constitution of the United States.

The President of the United States takes an oath to preserve, protect, and defend the Constitution of the United States, an oath that he has blatantly violated. For this reason, he was impeached by the House of Representatives.

For this reason, we thought it would be helpful to have not only the strong case for impeachment and removal that was put forth in this House, but to know that more was to come. We didn't make it come because we said that we were going to wait until after Christmas to send this over. They would like to have had us send it over on Christmas Eve so they could dismiss it.

Perhaps they don't realize that dismissal is coverup, but that has been one of their trains of thought.

Dismissal is coverup.

I was so disappointed the other day, last Friday, I guess, or last Thursday,

when the leader of the United States Senate, rather than strengthening the institution in which he serves, became subservient and signed on to a resolution that would dismiss charges.

Dismissal is coverup.

In the course of the time since we passed the resolution, and not because of the time—we passed it on December 18—on December 20, new emails showed that 91 minutes after Trump's phone call with the Ukrainian President, a top Office of Management and Budget aide asked the Department of Defense to "hold off" on sending military aid to Ukraine.

On December 29, revelations emerged about OMB Director and Acting Chief of Staff Mulvaney's role in the delay of aid; the effort by lawyers in the administration to justify the delay; and, most importantly, the alarm that the delay caused within the administration.

On January 2, newly unredacted Pentagon emails, which the House subpoenaed and the President blocked, raised serious concerns by Trump administration officials about the legality of the President's hold on the aid to Ukraine.

On January 6, former Trump National Security Advisor John Bolton said he would comply with a subpoena compelling his testimony. His lawyer stated he has new relevant information.

On January 13, reports emerged that the Russian Government hacked the Ukrainian gas company Burisma as part of their ongoing effort to influence the U.S. election in support of Trump.

Yesterday, House committees—Mr. NADLER, Mr. SCHIFF, Mr. ENGEL, and Madam Chair MALONEY—released new evidence, pursuant to a House subpoena, from Lev Parnas—recently photographed with the Republican leader—an associate of Rudy Giuliani, that further proves that the President was a central player in the scheme to pressure Ukraine for his own benefit in the 2020 election.

The Senate leader and the President are afraid of more facts coming to light. That is why the leader signed that dismissal resolution.

A dismissal, again, is a coverup.

The American people will fully understand the Senate's move to begin the trial without witnesses and documents as a pure political coverup.

Whatever the outcome, the American people want a fair trial, fair to the President, fair to the American people. The American people deserve the truth. The Constitution requires a trial, a fair trial.

The House is now moving forward with a vote to transmit the articles and appoint managers.

As Speaker, I am proud to appoint outstanding American patriots to serve on the impeachment panel:

Chairman SCHIFF;

Chairman NADLER;

Chairwoman ZOE LOFGREN—this is her third impeachment, as a staffer to a House Judiciary Committee member

in the Nixon impeachment, as a member of the Judiciary Committee on the Clinton impeachment, and now as a House manager;

HAKEEM JEFFRIES, the chair of our Caucus, a serious, respected litigator;

VAL DEMINGS, a member of the police force in Orlando for 27 years and, for part of that time, the first woman and African American police chief of Orlando, so she knows her way around the courtroom;

JASON CROW from Colorado, an Army Ranger who served our country in the military in Iraq and Afghanistan and now in the Congress of the United States, and he too is a respected litigator; and,

SYLVIA GARCIA from Texas, a judge in a number of capacities in Texas and a member of the Judiciary Committee.

We are very honored that you have taken the responsibility, all of you, to bring the Articles of Impeachment over to the United States Senate with a case for the Constitution.

So, back to the children. We don't want this President or any President to ever violate the Constitution. It is very, very important that we see that that Constitution is central to who we are as a country, our system of government, our Constitution, so valued, so respected, hopefully, so honored by everyone who takes an oath of office to support and defend it.

We see the Russians now hacking in Ukraine. It just came out yesterday or the day before. It just reminds me that I think most Americans would think that voters in America should decide who our President is, not Vladimir Putin and Russia deciding who our President is.

I am very concerned that in all of this, whether it is withholding funds for the Ukrainian Government to fight the Russians, whether it is undermining our commitment to NATO, whether it is, again, making decisions of what happens in Syria vis-a-vis Turkey favoring the Russians, that all roads lead to Russia, all roads lead to Putin.

While some in the administration may think that is okay, I don't, but we do insist and wonder why this President and some in this Congress will not come to the defense of our electoral system by allowing that to happen, denying that it is happening, placing the blame elsewhere.

This is as serious as it gets for any of us. Only the vote to declare war would be something more serious than this. We take it very seriously.

It is not personal. It is not political. It is not partisan. It is patriotic.

Again, I thank our distinguished managers for their courage and their dedication, for being willing to spend the time to do the job to honor the oath that we take and honor the pledge that our children take of allegiance to the flag and to the Republic for which it stands.

Madam Speaker, I urge a "yes" vote.

Mr. NADLER. Madam Speaker, I yield back the balance of my time.

Mr. JOHN W. ROSE of Tennessee. Madam Speaker, I rise in strong opposition to this partisan impeachment spectacle that seeks to accomplish what President Trump's opponents failed to do at the ballot box in 2016. The bedrock of this country is our Constitution. Article II of the United States Constitution grants our President the necessary authority to deal with other nations and their leaders.

This President was lawfully elected by the American people. When President Trump was sworn into office, he assumed the role of our nation's Commander in Chief. And, as Commander in Chief, he has done absolutely nothing illegal. The impeachment vote today is a sad continuation of the partisan political efforts to undercut President Trump since he was elected in 2016, if not before.

The House majority has wrongly denied President Trump the fair process that was afforded to President Clinton and President Nixon at every stage of their investigations. I am also profoundly disappointed that the House Judiciary Committee refused to hold a minority day hearing in compliance with Clause 2(j)(1) of Rule XI of the Rules of the House, which the Democratic Majority earlier voted to approve.

It should also greatly concern all Americans that co-equal subpoena authority was not granted to the minority during this hyper-partisan process. Co-equal subpoena authority for both the minority and majority has been the backbone of past impeachment investigations. My bill, House Resolution 667, would have granted this co-equal subpoena authority to the minority and majority, and I am disappointed that the Speaker never let it be considered by the House.

House Democrats said that it was critical to move forward in an historically fast, hasty manner. Yet, after passing both Articles of Impeachment on December 18, 2019, their sense of urgency died. The House Democratic Majority has waited nearly a month to transmit the "urgent" Articles of Impeachment to the Senate. This change in tone only underscores what Tennesseans knew all along: this is a partisan stunt, motivated purely by political reasons, that mocks our Founding Fathers' great caution in undertaking decisions of this magnitude and the safeguards they designed for our Republic.

It is shameful that the majority has waited nearly a month to bring House Resolution 798 up for a vote. I am deeply alarmed that this delay by House Democrats was a thinly veiled power grab. Our Founding Fathers envisioned this scenario during the dawn of our Republic: one chamber of Congress trying to control the other. In our Founders' wisdom, a system of checks and balances was put into place to prevent the coup d'état that House Democrats attempted. Because of these safeguards, House Democrats ultimately failed. I applaud the Senators from both sides of the aisle who stood against this grave injustice and demanded that the House send over the Articles of Impeachment to the Senate without delay.

Instead of working to secure our southern border, protect religious freedom, and rein in out-of-control government spending, my colleagues on the other side of the aisle have been laser-focused on removing President Trump from office for purely political reasons.

I want to remind those who are leading this ridiculous waste of taxpayer resources that there will be another election in 2020. The

next election is the avenue for deciding a new president, not this. Throughout the history of this country, impeachment has been a rare process. With this impeachment, I worry that in the next 230 years of our Republic, it will be rare that a president is not impeached.

On behalf of my fellow Tennesseans, and on behalf of my constituents in the Sixth District of Tennessee, I stand with our President and Commander in Chief and will vote "no" to appoint and authorize managers for the impeachment trial of President Trump.

The SPEAKER pro tempore. Pursuant to House Resolution 767, the previous question is ordered.

The question is on adoption of the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COLLINS of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on adoption of the resolution will be followed by a 5-minute vote on:

Agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 193, not voting 9, as follows:

[Roll No. 18]

YEAS—228

Adams	DeFazio	Kennedy
Aguilar	DeGette	Khanna
Alfred	DeLauro	Kildee
Amash	DelBene	Kilmer
Axne	Delgado	Kim
Barragán	Demings	Kind
Bass	DeSaulnier	Krishnamoorthi
Beatty	Deutch	Kuster (NH)
Bera	Dingell	Lamb
Beyer	Doggett	Langevin
Bishop (GA)	Doyle, Michael	Larsen (WA)
Blumenauer	F.	Larson (CT)
Blunt Rochester	Engel	Lawrence
Bonamici	Escobar	Lawson (FL)
Boyle, Brendan	Eshoo	Lee (CA)
F.	Españillat	Lee (NV)
Brindisi	Evans	Levin (CA)
Brown (MD)	Finkenauer	Levin (MI)
Brownley (CA)	Fletcher	Lieu, Ted
Bustos	Foster	Lipinski
Butterfield	Frankel	Loeback
Carbajal	Fudge	Lofgren
Cardenas	Galleo	Lowenthal
Carson (IN)	Garamendi	Lowe
Cartwright	Garcia (IL)	Lujan
Case	Garcia (TX)	Luria
Casten (IL)	Golden	Lynch
Castor (FL)	Gomez	Malinowski
Castro (TX)	Gonzalez (TX)	Maloney,
Chu, Judy	Gottheimer	Carolyn B.
Cicilline	Green, Al (TX)	Maloney, Sean
Cisneros	Grijalva	Matsui
Clark (MA)	Haaland	McAdams
Clarke (NY)	Harder (CA)	McBath
Cleaver	Hastings	McCollum
Clyburn	Hayes	McEachin
Cohen	Heck	McGovern
Connolly	Higgins (NY)	McNerney
Cooper	Himes	Meeks
Correa	Horn, Kendra S.	Meng
Costa	Horsford	Moore
Courtney	Houlahan	Morelle
Cox (CA)	Hoyer	Moulton
Craig	Huffman	Mucarsel-Powell
Crist	Jackson Lee	Murphy (FL)
Crow	Jayapal	Nadler
Cuellar	Jeffries	Napolitano
Cunningham	Johnson (GA)	Neal
Davids (KS)	Johnson (TX)	Neguse
Davis (CA)	Kaptur	Norcross
Davis, Danny K.	Keating	O'Halleran
Dean	Kelly (IL)	Ocasio-Cortez

Omar	Sánchez
Pallone	Sarbanes
Panetta	Scanlon
Pappas	Schakowsky
Pascarella	Schiff
Payne	Schneider
Pelosi	Schrader
Perlmutter	Schrier
Peters	Scott (VA)
Phillips	Scott, David
Pingree	Serrano
Pocan	Sewell (AL)
Porter	Shalala
Pressley	Sherman
Price (NC)	Sherrill
Quigley	Sires
Raskin	Slotkin
Rice (NY)	Smith (WA)
Richmond	Soto
Rose (NY)	Spanberger
Rouda	Speier
Roybal-Allard	Stanton
Ruiz	Stevens
Ruppersberger	Suozzi
Rush	Swalwell (CA)
Ryan	Takano

NAYS—193

Abraham	Granger	Pence
Aderholt	Graves (GA)	Perry
Allen	Graves (LA)	Peterson
Amodei	Graves (MO)	Posey
Armstrong	Green (TN)	Ratcliffe
Arrington	Griffith	Reed
Babin	Grothman	Reschenthaler
Bacon	Guest	Rice (SC)
Baird	Guthrie	Riggleman
Balderson	Hagedorn	Roby
Banks	Harris	Rodgers (WA)
Barr	Hartzler	Roe, David P.
Bergman	Hern, Kevin	Rogers (AL)
Biggs	Herrera Beutler	Rogers (KY)
Billrakis	Hice (GA)	Rooney (FL)
Bishop (NC)	Higgins (LA)	Rose, John W.
Bishop (UT)	Hill (AR)	Rouzer
Bost	Holding	Roy
Brady	Hollingsworth	Rutherford
Brooks (AL)	Hudson	Scalise
Brooks (IN)	Huizenga	Schweikert
Buchanan	Hurd (TX)	Scott, Austin
Buck	Johnson (LA)	Sensenbrenner
Bucshon	Johnson (OH)	Shimkus
Budd	Johnson (SD)	Smith (MO)
Burchett	Jordan	Smith (NE)
Burgess	Joyce (OH)	Smith (NJ)
Byrne	Joyce (PA)	Smucker
Calvert	Katko	Spano
Carter (GA)	Keller	Staubert
Carter (TX)	Kelly (MS)	Stefanik
Chabot	Kelly (PA)	Steil
Cheney	King (IA)	Steube
Cline	King (NY)	Stewart
Cloud	Kinziger	Stivers
Cole	Kustoff (TN)	Taylor
Collins (GA)	LaHood	Thompson (PA)
Comer	LaMalfa	Thornberry
Conaway	Lamborn	Timmons
Cook	Latta	Tipton
Crenshaw	Long	Turner
Curtis	Loudermilk	Upton
Davidson (OH)	Lucas	Van Drew
Davis, Rodney	Luetkemeyer	Wagner
DesJarlais	Marshall	Walberg
Diaz-Balart	Massie	Walden
Duncan	Mast	Walker
Dunn	McCarthy	Walorski
Emmer	McCaul	Waltz
Estes	McHenry	Watkins
Ferguson	McKinley	Weber (TX)
Fitzpatrick	Meadows	Webster (FL)
Fleischmann	Meuser	Wenstrup
Flores	Miller	Westerman
Fortenberry	Mitchell	Williams
Fox (NC)	Moolenaar	Wilson (SC)
Fulcher	Mooney (WV)	Wittman
Gaetz	Mullin	Womack
Gallagher	Murphy (NC)	Woodall
Gianforte	Newhouse	Wright
Gibbs	Norman	Yoho
Gohmert	Nunes	Young
Gonzalez (OH)	Olson	Zeldin
Gooden	Palazzo	
Gosar	Palmer	

NOT VOTING—9

Clay	Kirkpatrick	Marchant
Crawford	Lesko	McClintock
Gabbard	Lewis	Simpson

□ 1333

Mr. HIGGINS of New York changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

GENERAL LEAVE

Mr. NADLER. Madam Speaker, I ask unanimous consent that Members have 5 legislative days to revise and extend their remarks on H. Res. 798.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 15, 2020, at 11:18 a.m.:

That the Senate passed S. 2547.

With best wishes, I am,
Sincerely,

CHERYL L. JOHNSON.

RESIGNATION AS MEMBER OF COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Financial Services:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: I write to respectfully tender my resignation as a member of the Committee on Financial Services. It has been an honor to serve in this capacity.

Sincerely,

REP. PETER T. KING,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON HOMELAND SECURITY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Homeland Security:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: I write to respectfully tender my resignation as a member of the House Committee on Homeland Security. It has been an honor to serve in this capacity.

Semper Fidelis,

VAN TAYLOR,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.
There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON EDUCATION AND LABOR

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Education and Labor:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: I write to respectfully tender my resignation as a member of the House Committee on Education and Labor. It has been an honor to serve in this capacity.

Semper Fidelis,

VAN TAYLOR,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.
There was no objection.

PROTECTING OLDER WORKERS AGAINST DISCRIMINATION ACT

GENERAL LEAVE

Mr. SCOTT of Virginia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 1230, the Protecting Older Workers Against Discrimination Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 790 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1230.

The Chair appoints the gentleman from Texas (Mr. CUELLAR) to preside over the Committee of the Whole.

□ 1339

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the consideration of the bill (H.R. 1230) to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes, with Mr. CUELLAR in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read for the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor.

The gentleman from Virginia (Mr. SCOTT), and the gentlewoman from North Carolina (Ms. FOXX) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today in support of H.R. 1230, the Protecting Older Workers Against Discrimination Act, or POWADA.

I want to thank my colleagues, particularly the gentleman from Wisconsin (Mr. SENSENBRENNER), for working to pass this bipartisan proposal to restore workplace protections for older workers.

In 1967, Congress passed the Age Discrimination in Employment Act, or ADEA, which recognizes the Federal Government's role in preventing older workers from being forced out of jobs or denied work opportunities because of their age.

Importantly, the ADEA was enforced using an evidentiary standard that gave older workers a fair shot at holding employers accountable for age discrimination. Under this standard, workers seeking to challenge age discrimination in employment only had to prove that age was a motivating factor or one of many motivating factors behind an employer's discriminatory action.

For decades, this mixed-motive standard was consistent with the evidentiary standard in title VII of the Civil Rights Act of 1964, which covers claims of unlawful discrimination on the basis of race, sex, national origin, or religion.

Unfortunately, in 2009, in the Gross v. FBL Financial Services case, the Supreme Court upended decades of precedent, significantly raising the burden of proof for older workers.

In its 5-to-4 decision, the Court held that plaintiffs must prove that age was the decisive and determinative motivating factor for the employer's conduct. Under this altered framework, older workers cannot prevail unless they can show that the adverse action would not have occurred but for the employee's age.

This higher threshold not only makes it harder for workers who have suffered